

Historic Resources Commission Meeting Minutes of May 8, 2013

Members Present: Hillary Cole, Nan Chase, Brian Cook, Capi Wampler, David Carpenter, Pat Cothran, David Nutter, Tracey Rizzo, Brendan Ross, Jo Stephenson

Members Absent: J. Ray Elingburg

Staff: Stacy Merten, Peggy Gardner, Jannice Ashley

Public: Pete Kennedy, Timothy Sadler, Amy Hornaday, Silus Vogler, Mark Marshall, Woody Farmer, Frank Vogler, Gertrude Galyunker, Rose Bartlett, Chris Gilbert, Sharon Hines, Anne Bayer, Kevin Ward, Joseph Kitt

Call to Order: Chair Cole calls the meeting to order at 4:00 pm with a quorum present.

Adoption of Minutes: Peggy Gardner reports a change that was made to the March minutes on page 12 after a condition was fulfilled, concerning dimensions of a door.

Commissioner Nutter moves to adopt the April 10, 2013 minutes as written.
Second by: Commissioner Chase
Vote for: ALL

Consent Agenda:

1. **Owner/Applicant:** John Morris
Subject Property: 110 Cumberland Ave.
Hearing Date: May 8, 2013
Historic District: Montford
PIN: 9649.12-6556
Zoning District: RM-8
Other Permits: Building & Zoning

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – photograph of house showing original porch; Exhibit B – two photographs of existing porch area; Exhibit C – main level floor plan showing proposed porch; Exhibit D – porch section detail; Exhibit E – porch columns and pedestal details; Exhibit F – site plan; and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 24th day of April, 2013, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 24th day of April, 2013 as indicated by Exhibits G and H
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to reconstruct original porch per attached historic photographic documentation and drawings. New porch will have fiberglass asphalt roof shingles to match existing on main house; custom wood columns and railings to match original; wood crown molding and details to match original; 1" x 3" T&G flooring and wood lattice to match original. **All necessary permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Porches Entrances and Balconies found on pages 72-73 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, were used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:
 - a. The new porch will be rebuilt to match the original per historic photographic documentation.
6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Chase

Second by: Commissioner Wampler

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Chase

Second by: Commissioner Wampler

Vote for: ALL

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| 2. | Owner/Applicant: | Rose Bartlett/Jane Mathews |
| | Subject Property: | 211 Charlotte Street |
| | Hearing Date: | May 8, 2013 |
| | Historic District: | Albemarle Park |
| | PIN: | 9649.64-2638 |
| | Zoning District: | CB-I |
| | Other Permits: | Building & Zoning |

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – new porch sign elevation; Exhibit B – new post sign elevation; Exhibit C – new site plan; and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 24th day of April, 2013, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 24th day of April, 2013 as indicated by Exhibits D and E.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to construct a two-sided 7.1 sq. foot free standing sign for a total of 14.2 sq. feet, per attached approved drawings. Sign will be located on Charlotte Street, 10 ft. from property line, per site plan. Install 4.6 sq. ft. hanging porch sign, per photograph. Both signs will be of painted metal. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That #9 of the General Principles for Historic Rehabilitation, found on page 12 of the *Architectural Design Guidelines and Standards for Albemarle Park* was used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:
 - a. The signs are in keeping with the character of the historic district and do not overwhelm the buildings or the site.
6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Albemarle Park Historic District.

Motion by: Commissioner Chase

Second by: Commissioner Wampler

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Chase

Second by: Commissioner Wampler

Vote for: ALL

Public Hearings:

Agenda Item

Owner/Applicant: Jeanette Syprazak
Subject Property: 41 Starnes Ave.
Hearing Date: *(continued from February 13, 2013)*
Historic District: Montford
PIN: 9649.22-8325
Zoning District: RM-8
Other Permits: Building & Zoning

Staff Comments	Ms. Merten explains the applicant has asked for a continuance to the June meeting.
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Commission Action

MOTION TO CONTINUE Motion by: Commissioner Chase Second by: Commissioner Wampler Vote for: ALL
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Agenda Item

Owner/Applicant: Gertrude Galyner
Subject Property: 38 Elizabeth Place/7 Woodlawn Ave.
Hearing Date: May 8, 2013
Historic District: Montford
PIN: 9649.22-7753
Zoning District: RS-8
Other Permits: Building & Zoning

Staff Comments	<p>Ms. Merten explains this project was reviewed in February when the applicant was asking for a concrete wall, it was approved with a condition that veneer be placed on the front part of the wall, with landscaping. They are now submitting an amendment to have only the concrete wall with no veneer.</p> <p>Property Description: New home constructed in 2009 fronting Elizabeth Place. The parcel is a through - lot between Elizabeth Place and Woodlawn Ave. The retaining wall was on the northwest side (rear/Woodlawn Ave.) of the property adjacent to the neighboring property at 25 Woodlawn Ave.</p> <p>Certificate of Appropriateness Request: Amend previously approved CA for reconstruction of collapsed stone retaining wall as follows: Replace a collapsed</p>
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	<p>stone retaining wall by constructing a new poured concrete retaining wall along the northwest side of property per attached approved drawings. Wall will have a smooth finish and chamfered edge and will be landscaped per attached approved site plan will incorporate new rock material to match existing wall, extending at maximum from the street to the southeast corner of the house at 25 Woodlawn Ave. Wall will be approximately 2' high near the street and run up to a maximum of 10'5". All permits, variances, or approvals as required by law must be obtained before work may commence.</p> <p>Staff Concerns per the Applicable Guidelines & Submittal Requirements:</p> <p>This application was approved with the condition that the applicant returns with a sample and detailed drawings of the stone veneer to be applied to the wall. The applicant is amending the application to request that the concrete wall not incorporate a stone veneer.</p> <p>Staff has asked the applicant to bring a sample of the original stone to the meeting and to indicate on the site plan the location of proposed boulders.</p> <p>The guidelines for Fences and Walls found on pages 36-37 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, were used to evaluate this request.</p> <p>Staff Recommendation: Staff is concerned that the application does not meet the spirit of the guidelines and recommends that some of the salvaged stone be incorporated into the wall.</p> <p>Suggested Reasons:</p> <ol style="list-style-type: none"> 1. The applicant will incorporate salvaged stone into the new wall. 2. The wall runs perpendicular to the street and between two buildings, thus the rear portion is inconspicuously located with minimal visibility from the street.
<p>Applicant(s)</p>	<p>Trudy Galynger, property owner, explains the background of the project. She says she wants the new wall to appear as though it could have been there for a hundred years, the same goal she had in building her house. She initially wanted a stone wall, but it would have needed a 6'6" wide base to be structurally sound, and there is not enough space. So she had another engineering plan done for a concrete wall, which was approved. She thinks the hanging vines will help it blend in with the surrounding landscape. She shows photographs of the new wall.</p> <p>Frank Vogler of V&V Land Management, contractor, reads and submits a letter from neighbor Mathew Baldwin, in support of the wall in its current state.</p> <p>Mr. Vogler shows photographs of the other walls on the Galynger property, and notes they are all concrete with the exception of a small stone wall near the driveway which he says is about to collapse. He shows a photograph of the new wall, and describes attempts to make it appear like the others, using a gray Portland cement to avoid a bright new look.</p>

	<p>He shows how the salvaged stones from the old wall have been used for landscaping, including hiding new gutter drains. He talks about the history of Portland Cement, and how its expense was prohibitive at the time the wall was initially built. He thinks this is the reason so little of it was found in the wall.</p> <p>Mr. Vogler notes the new wall does not face the road, and will not be very noticeable once it is landscaped. He thinks a veneer would draw attention to it. He shows a photo of a nearby concrete block wall that faces the road. He says he has had many compliments on the new wall, including one from the City inspector.</p> <p><i>Commissioner Carpenter arrives 4:15.</i></p> <p>Mr. Vogler submits photos of neighboring walls and shares them with the Commissioners. He notes concrete walls are a very common type in Montford, and says they are more structurally sound than stone walls. He says the nearest veneered wall is on a new home.</p> <p>Mr. Vogler says he can find no precedent for coined corners, and only was able to find one on Charlotte Street. He shows a coining idea using the salvaged rocks. He says veneered walls can look horrible, like a golf course wall, because styles and techniques have changed.</p> <p>He notes the landscaper has said she can cover the entire wall with approved plantings. He says they will also place large boulders in strategic places to prevent a car from driving over the wall, in response to a request from Building Safety.</p> <p>Commissioner Carpenter agrees veneer can often look bad, asks if Mr. Vogler is proposing the wall be completely concrete (<i>yes</i>). He says he is changing his opinion of the concrete wall, knowing that veneer can be badly done. Mr. Vogler reiterates his attempts to make the concrete wall attractive. Commissioner Nutter thanks him for working with the color.</p> <p>Chair Cole says the argument for concrete has already been discussed. She recaps that the guidelines say to replace a historic wall in-kind. She says the applicant was allowed to install the concrete wall, with stipulation it had some stone veneer.</p> <p>Commissioner Wampler asks which guidelines they are being asked to flex. Ms. Merten says primarily guideline #3 on page 37, which says “Replace in-kind any portion of a historic fence or wall that is damaged or deteriorated beyond repair. Match the original in design, configuration, texture, material and color as close as possible.” She says if the Commission was to deviate from this guideline in this case, they would need to state specific reasons why this situation is different, based on new information they have received. She says the wide base width could be a reason, and structural issues that may arise if a similar stone is used, which the applicant has described.</p> <p>Chair Cole says this has all been discussed, and the decision was to allow a concrete wall with a stone veneer, and she has seen good stone veneer.</p>
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	<p>She says they would need good reasons to change at this point. Ms. Merten notes new information presented which might change Commissioners' minds includes photographs of the new wall, letters in support from neighbors, and any public comment.</p> <p>Mr. Vogler again notes the other walls on the property are concrete, and says an effort to simulate historicity with added veneer may instead draw attention to the new wall. He says if the wall fronted the road, it would be different.</p> <p>Commissioner Carpenter says he remembers the previous discussion, and notes there was considerable attention paid to how far back the veneer should go. He now thinks the veneer may draw attention to the wall, and simply emphasize its newness. He thinks plantings would do a better job to make it blend in.</p> <p>Commissioner Wampler asks how the applicant intends to use the existing stone. Mr. Vogler talks about how poorly the wall was built, and says the salvaged stones have already been used in a relaxed way, to conceal drains. He says most of the stone can't be used for structural purposes.</p> <p>Commissioner Cook asks the maximum height (11'8"), and says the examples presented for precedence were of lower walls. Mr. Vogler notes veneered walls would not be this high, Commissioner Cook says that is a good point.</p> <p>Chair Cole asks Ms. Merten to show a photo of the old wall, and asks Commissioners to keep this in mind. She says the boulders proposed for safety are not typically seen in Montford. Mr. Vogler says his firm often uses boulders, and they will be blended into the landscaping and not noticeable. He says another option would be to put up a steel rail, which if hit, might damage the wall.</p>
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Public Comment

Speaker Name	Issue(s)
Anne Bayer	Ms. Bayer lives in the house adjacent to the wall. She says she doesn't mind the boulders, just wants something for safety. She worries if children might fall, says it is very high. She says as far as the wall is concerned, it belongs to her neighbor and she is just happy to have it repaired. She has concern about too many vines growing on it, but says Ms. Galynker has helped to keep the previous vines trimmed back, so she is not concerned. She says there had been a driveway in the space between their house and the wall, and they still want to have use of it.
Sharon Hines	Ms. Hines lives at 103 Flint Street, and says she walks by the property frequently and notices changes in the neighborhood. She has been very impressed with the way the Galynker home blends in and does not draw attention to itself as new construction. She says everything Trudy and her landscaper have done so far has enhanced the neighborhood, and if Trudy says the concrete wall will be covered with beautiful vines, it will be.

Harry Pierson	Mr. Pierson lives at 38 Elizabeth Place. He describes how he never noticed the previous wall, because the Bayers parked their cars there and it is a very narrow alley. He notes the previous decision was that the veneer would go back at maximum to the front of the Bayer's house. He says the only visible part of the wall will still be concrete, if any cars are parked there. He thinks stone veneer he has seen looks like wallpaper, and doesn't have the form a true stone wall would have unless very deep, and doesn't think that is the intent in this case. He argues the kind of veneer that would need to be purchased would be a contemporary construction material and applied with contemporary technique.
Frank Vogler	Mr. Vogler says the intent was to produce a finely finished concrete wall, and it includes 87 yards of concrete with thousands of pounds of rebar, the footing alone contains 46 yards. He says it has a chamfered edge, and the result is very attractive. It drains properly and provides safety to both neighbors. He knows it will take time for the vegetation to grow, but says that doesn't matter since the wall already looks so good. He thinks putting a veneer on it insults the quality of the wall.

Commission Comments/Discussion

Chair Cole says the Commissioners need to decide if they will require the veneer, and if the boulders proposed for safety would be allowed.

Commissioner Nutter asks to what degree the Commissioners are allowed to exercise flexibility from the guidelines. Ms. Merten replies that if there are unique reasons to a project that are defensible, and which do not set a precedence, then the Commission could consider those reasons in making its decision. She notes two things that make this case different, the fact that the wall is not along the street, and the fact that it fell in a catastrophic way and a replacement was not planned. Attorney Ashley notes these things were discussed before, and if the Commissioners are changing their decision, the change needs to be based on new information.

Commissioner Cook asks if the condition required the salvaged stone be used in the veneer, Ms. Merten says it was not stipulated.

Commissioner Rizzo asks why the applicants agreed to adding the veneer in the first place. Mr. Vogler says they never wanted to use the veneer, and that is why they are now asking for the amendment. They needed a vote so they could proceed with building the concrete wall.

Commissioner Ross wonders if the Commission should have asked for the veneer to completely cover the wall, Ms. Merten says at this point they can't change that maximum point, but they might change the location or whether the veneer is required at all. Commissioner Nutter asks if they could admit that part was not clear, Ms. Merten says no, there was an attempt to meet the guidelines. Commissioner Chase says she thinks adding today's veneer would be adding a contemporary material. Chair Cole disagrees, says stone is not a contemporary material.

Commissioner Wampler says flat-backed veneer is a material choice, but there are other choices. Ms. Merten agrees, and notes there was not a decision on type of veneer, the condition asked for specifications. The condition still stands, and if veneer specifications are submitted, the Commission would decide if they were appropriate.

Mr. Vogler notes any veneer will take 30 to 45 days to install, and the neighbor's yard has been refurbished. Veneer would again disrupt the neighbors. Commissioner Carpenter agrees there

would be further disruption for the neighbors.

Commissioner Nutter says considering statements made about the structure of the original wall, the excellent care taken in the building of the new wall including its coloration, the fact the wall is not a prominent street frontage, and considering he feels the Commission's previous decision was imperfect, he suggests the Commission offer flexibility and allow the concrete wall with the landscaping proposed, without requiring the veneer. Chair Cole says none of these reasons address Guideline #3 on page 37 and none of the reasons would not make this a precedent for others wanting to tear down a stone wall and replace with a concrete wall.

Commissioner Cook says he thinks Commissioner Nutter's points do meet 'design and configuration' considerations under Guideline #3. He notes trying to build a solid stone retaining wall that would meet building code requirements couldn't be done on this site. To recreate a wall as a contemporary concrete reinforced wall with a stone façade would also create a thicker wall than the original. Thus the original cannot be recreated. Chair Cole says a new stone wall would be much thicker than the original, so she's not sure this argument applies. Commissioner Nutter asks her to explain. Chair Cole replies that if the Commission wants to allow this amendment, they have to find reasons that address Guideline #3. She reads the guideline. She says Commissioner Nutter's arguments do not address this one guideline, which is the guideline the Commission is using for this decision.

Commissioner Rizzo asks if this guideline hadn't already been flexed once the concrete wall was allowed. Chair Cole says it was decided the veneer would cover that guideline. Ms. Merten says this has been allowed in many cases.

Ms. Galynker notes the guideline also says 'as close as possible'. She thinks it wasn't possible in this case to replace it just like the original. Chair Cole notes it is possible to put a stone veneer on it. Ms. Galynker says yes, it is physically possible, but that wouldn't be authentic. Commissioner Chase says she would make the same comment as Ms. Galynker. Chair Cole says if the Commissioners want to make that argument, she's not sure how it works with the decision made in February. She says it doesn't bring any new information to light, it is semantics. She says the Commissioners would be saying the decision in February doesn't align with what they are reading now, and she doesn't think they can say this. She says the decision has to be based on new evidence that had not been reviewed before in order to change the requirement of the veneer. Ms. Merten suggests the coloring is new information, but notes the texture is still a problem. Commissioner Cothran asks when the original wall was built (*unknown*). Commissioner Nutter says he would like to address these concerns and suggests the request for an amendment be approved. Chair Cole states he will have to address the reasons in a motion.

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – list of reasons for concrete finish; Exhibit B – three photographs of wall under construction; Exhibit C – photograph of historic concrete wall in Montford; Exhibit D – description of parking safety plan; Exhibit E – landscape plan; Exhibit F – letter of support from neighbor James Kumpe; Exhibit G – photomontage board showing new wall and use of salvaged stones; Exhibit H – landscape plan showing boulders along top of the wall; Exhibit I – samples of stone veneer possibilities ; Exhibit J – five pages of photographs showing existing concrete retaining walls in the neighborhood and the new retaining wall; Exhibit K – letter of support from neighbor Mathew Baldwin; and the Commission's actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 24th day of April, 2013, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 24th day of April, 2013 as indicated by Exhibits L and M.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to Amend previously approved CA for reconstruction of collapsed stone retaining wall as follows: Replace a collapsed stone retaining wall by constructing a new poured concrete retaining wall along the northwest side of property per attached approved drawings. Wall will have a smooth finish and chamfered edge and will be landscaped per attached approved site plan. Wall will be approximately 2' high near the street and run up to a maximum of 10'5". **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Fences and Walls found on pages 36-37 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, were used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:
 - a. The wall runs perpendicular to the street and between two buildings, thus the wall is inconspicuously located with minimal visibility from the street and does not occupy a prominent street frontage.
 - b. The design of the concrete wall matches the original as close as possible in configuration, texture and color.
 - c. The use of a rough-cut stone veneer most similar to the historic wall would not be possible due to space limitations, as demonstrated by the applicant.
6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Nutter

Second by: Commissioner Carpenter

Vote for: Commissioners Nutter, Chase, Cothran, Stephenson and Carpenter

Vote against: Commissioners Rizzo, Ross, Cole, Cook and Wampler

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **denied (by tie vote)**.

Ms. Merten notes the condition for the veneer is still active.

Commissioner Cole calls for a short break at 5:27. Meeting resumes at 5:33.

Agenda Item

Owner/Applicant: Rick & Pamela Hessdorfer/Mark Marshall
Subject Property: 5 Cullowhee St.
Hearing Date: May 8, 2013
Historic District: Montford
PIN: 9649.03-5232
Zoning District: RM-8
Other Permits: Building & Zoning

Staff Comments	<p>Ms. Merten explains a CA was issued with the exception of the windows on the west side, and the applicant was asked to present further evidence of similar casement windows in the district. She shows slides he has submitted.</p> <p>Property Description: Vacant lot from the subdivision and recombination of the two adjacent lots which front on Pearson and Montford Ave.</p> <p>Certificate of Appropriateness Request: Amend previously issued CA to construct a new 2 story, 1,488 sq. ft. single family structure per attached drawing dated 3/20/13.</p> <p>All permits, variances, or approvals as required by law must be obtained before work may commence.</p> <p>Staff Concerns per the Applicable Guidelines & Submittal Requirements:</p> <p>Documentation submitted does not strongly support proposal for window changes to both sides.</p> <p>The guidelines for New Construction found on pages 92-93 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, were used to evaluate this request.</p> <p>Staff Recommendation: Staff recommends approval with concerns as noted.</p> <p>Suggested Reasons:</p> <ol style="list-style-type: none">1. Fenestration is minimal and texturally not in keeping with the district on a prominent and visible façade. <p>Commissioner Nutter asks to be reminded of the context of this decision. Commissioner Rizzo says she wanted to give the applicant a chance to present evidence of other casement windows on visible elevations in the district. Chair Cole says the original application that was approved showed deeper, wider windows, it was a spec house. The new owners want more privacy on the driveway side, and would prefer three smaller casement windows, so a new design was submitted. Ms. Merten shows the earlier design, and the new proposal.</p> <p>Chair Cole notes some of the sample pictures show new construction. She names the ones that are applicable for historic proof (Blake St, and two on</p>
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	<p>Pearson Drive). She asks if the windows shown are on a prominent side (<i>they are</i>). Commissioner Rizzo says she thinks the new construction samples should apply, since they would have been approved. Ms. Merten agrees. Chair Cole says the word 'historic' should be removed from the exhibit if that is the case.</p> <p>Ms. Merten notes the Commission is not to rule on a three window configuration specifically, but on whether there is adequate fenestration on a visible elevation. Commissioner Cothran says there was justification on the small window treatment on the other sides, because their reason was clear. She notes some of the photographs are difficult to use for comparison. Commissioner Carpenter says the Blake St. example is the most relevant, and changes his previous opinion. Chair Cole says the Blake St. shows a door on that side as well, and this points out the issue in question, which is insufficient fenestration, the façade is too plain.</p> <p>Commissioner Rizzo asks if the example of new construction on Pearson Drive was approved with a condition for landscaping. She notes the trellis treatment works to break up the expanse. Ms. Merten says she does not believe this to be so, she notes that house also had porches that helped to add interest, but thinks the lattice work helped. She says it is not as large of an expanse. Chair Cole reads guideline #4 on p. 93, says this was basis for the previous decision and asks the Commission to address this when they make their recommendation.</p>
Applicant(s)	<p>Mark Marshall, contractor, submits additional photographs of other casement windows in the district, and describes them. He says the one on the corner of Starnes and Flint is more prominent, the windows face Flint St. On his house, the wall in question is on the driveway side, and they are planning a 5' to 8' hedge row along the driveway that will give a visual break.</p> <p>Chair Cole asks if there is room between the driveway and the wall for plantings, Mr. Marshall says there is very little. She asks for further description of the hedge, says it looks more like three separate shrubs. Mr. Marshall says there is very little time this side of the house would be visible if someone was driving by.</p> <p>Commissioner Stephenson says they should keep in mind the scale of the house is very compact, the impression the Commission has of this vast space without fenestration looking at the drawings, would in fact not be very large. Ms. Merten reminds the Commission if they approve this amendment, the application remains the same. If they don't, they would need revised drawings for this elevation.</p>

Public Comment

Speaker Name	Issue(s)
None	

Commission Comments/Discussion

Chair Cole talks again about guideline #4 on page 93, "Design new structures to be compatible in
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height, roof form, scale, massing, footprint, material, detail, fenestration and proportion with surrounding historic buildings.” Commissioner Cook says #4 does not talk about the location of the fenestration. Ms. Merten notes it does talk about texture. Chair Cole reads #8, about location and size of windows. Commissioner Stephenson says there are many examples in Montford of historic facades without much fenestration.

Commissioner Chase says the Commission asked the applicant to bring photographs showing similar windows in the district, he brought them, and they are relevant.

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – three photographs of two Montford homes showing similar casement window configurations; Exhibit B – two pages of photographs showing similar window configurations *submitted 5/8/13*; and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 24th day of April, 2013, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 24th day of April, 2013 as indicated by Exhibits C and D.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to Amend previously issued CA to construct a new 2 story, 1,488 sq. ft. single family structure per attached drawing dated 3/20/13, reflecting fenestration on the Southwest elevation with three casement windows. **All necessary permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for New Construction found on pages 92-93 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, were used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:
 - a. Fenestration design is compatible with other historic buildings in the district.
 - b. The windows are compatible in size, placement and scale with surrounding historic buildings.
 - c. Applicant provided relevant examples of similar windows in the district (Blake St and one on lower left on Pearson Drive).
6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Wampler

Second by: Commissioner Cook

Vote for: Commissioners Wampler, Cook, Carpenter, Nutter, Chase, Stephenson, Ross, Cothran and Rizzo

Vote against: Chair Cole

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Wampler

Second by: Commissioner Cook

Vote for: Commissioners Wampler, Cook, Carpenter, Nutter, Chase, Stephenson, Ross, Cothran and Rizzo

Vote against: Chair Cole

Agenda Item

Owner/Applicant: Peter U. Kennedy
Subject Property: 83 Cumberland Ave.
Hearing Date: May 8, 2013
Historic District: Montford
PIN: 9649.12-9490
Zoning District: RS-8
Other Permits: Zoning

Staff Comments	<p>Ms. Merten shows slides of the property and reviews the following staff report. She says the shed will be slightly visible, which is why the application is before the Commission.</p> <p>Property Description: Late 19th early 20th century 1 1/2 story vernacular stucco cottage. Large dormers with shingle detail, Montford brackets. (R. S. Smith, architect?) Before 1907 (S)</p> <p>Certificate of Appropriateness Request: Construct 8' x 10' garden shed on southeast corner of lot per attached drawings and site plan. New shed will have wood lapped siding, with cedar shake gables and asphalt shingle roof to match main building. Window will be salvaged wood 6 light. Door will be wood 2' x 6' vertical slat with exposed hinges. All permits, variances, or approvals as required by law must be obtained before work may commence.</p> <p>Staff Concerns per the Applicable Guidelines & Submittal Requirements:</p> <p>None</p> <p>The guidelines for Carriage Houses, Garages and Accessory Structures found on pages 34-35 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, were used to evaluate this request.</p> <p>Staff Recommendation: Staff recommends approval for the following reasons:</p>
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	Suggested Reasons: <ol style="list-style-type: none">1. The structure is detached from the main building and located in the rear yard in a traditional relationship with the main building.2. The structure has a traditional roof and material compatible with the main building.
Applicant(s)	Peter Kennedy, property owner, offers to answer any questions.

Public Comment

Speaker Name	Issue(s)
None	

Commission Comments/Discussion

Chair Cole notes it is a small garden shed, on the existing pad.

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – new construction worksheet; Exhibit B – two photographs of pre-fab shed; Exhibit C – four photographs showing site from across Cumberland Avenue, one has shed superimposed; Exhibit D – site plan; Exhibit E – four elevations of shed; Exhibit F – floor plan, section, floor framing and roof framing; Exhibit G – site plan / location map; and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 24th day of April, 2013, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 24th day of April, 2013 as indicated by Exhibits H and I.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to construct 8’ x 10’ garden shed on southeast corner of lot per attached drawings and site plan. New shed will have wood lapped siding, with cedar shake gables and asphalt shingle roof to match main building. Window will be salvaged wood 6 light. Door will be wood 2’ x 6’ vertical slat with exposed hinges. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Carriage Houses, Garages and Accessory Structures found on pages 34-35 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, were used to evaluate this request.
5. This application **does/does not** meet the design guidelines for the following reasons:
 - a. The structure is detached from the main building and located in the rear yard in a traditional relationship with the main building.

- b. The structure has a traditional roof and material compatible with the main building.
 - c. The structure will be located on existing pad.
6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Nutter

Second by: Commissioner Cook

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Nutter

Second by: Commissioner Ross

Vote for: ALL

Agenda Item

Owner/Applicant: Joseph Kitt
Subject Property: 139 Montford Ave.
Hearing Date: May 8, 2013
Historic District: Montford
PIN: 9649.12-2492
Zoning District: RM-16
Other Permits: New Construction

Staff Comments	<p>Ms. Merten says the preliminary hearing for this house was in April, and the applicant has made changes that were suggested. She shows slides of the property.</p> <p>Property Description: Original home was lost due to fire in December 2012, and recently demolished with approval from the HRC.</p> <p>Certificate of Appropriateness Request: Construct new 2,227 sq. ft. single family home with basement and wrap around front porch per attached approved plans and specifications. New structure will have smooth stucco foundation. Siding will be wood German lapped on 1st floor with shingles above. Roof will be hipped style with exposed rafter tails, and 24" overhang. Roof covering will be dark gray composition asphalt shingles. Other details include turret, corner boards and 4.5" window and door surrounds. Chimney will be brick. Windows will be aluminum clad, one over one. Porch will have wood balustrade with 2" x 2" rails, 4" on center and fluted support columns salvaged from original home on site. Front door will be salvaged from original home. Brick sidewalk and landscaping per attached approved landscape plans. All permits, variances, or</p>
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	<p>approvals as required by law must be obtained before work may commence.</p> <p>Staff Concerns per the Applicable Guidelines & Submittal Requirements:</p> <ol style="list-style-type: none"> 1. Staff has advised the applicant to bring samples of building materials to the meeting. <p>The guidelines for New Construction found on pages 92-93 and the guidelines for Landscaping and Trees found on pages 40-41 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, were used to evaluate this request.</p> <p>Staff Recommendation Staff recommends approval for the following reasons.</p> <p>Suggested Reasons:</p> <ol style="list-style-type: none"> 1. The new structure is compatible with the surrounding historic buildings in the district in terms of siting, materials, scale, texture, and fenestration.
Applicant(s)	<p>Kevin Ward, contractor, describes the changes he made to the plans after the preliminary hearing. He has increased the size of the windows, and accentuated the turret. He shows photographs of other Montford homes with 1/1 windows. He shows photos of the front door and columns from the original house they will use in the new structure. He shows a photograph of the stucco treatment they will use around the foundation, and submits material samples of shingles and a brick veneer for the chimney. He says they will use salvaged brick from the house for the walkway. He says they won't be using a weeping mortar on the chimney, just the brick design. He describes the aluminum clad windows, and says they will be custom matched to the trim color. There will be a painted trim band between the 2nd and 3rd stories.</p> <p>Mr. Ward shows a streetscape rendering of the home with houses on either side. He describes the weatherwood roof material and passes around a sample.</p>

Public Comment

Speaker Name	Issue(s)
None	

Commission Comments/Discussion

Commissioner Carpenter asks if there will be corner trim (*no*). He asks for clarification about a line near a window on the drawing, it is determined it was added by the autocad.

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – new construction worksheet; Exhibit B – rendering of proposed home; Exhibit C – site plan; Exhibit D – 1st and 2nd floor plans; Exhibit E – front (west) and north elevations; Exhibit F – rear (east) and south elevations; Exhibit G – landscape plan; (*exhibits H through M submitted 5/8/13*) Exhibit H – streetscape; Exhibit I – photos of window and door examples; Exhibit J – roof shingle sample; Exhibit K – stucco photograph; Exhibit L – three photographs of bricks; Exhibit M – siding and trim sample; and the Commission's

actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 24th day of April, 2013, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 24th day of April, 2013 as indicated by Exhibits N and O.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to construct new 2,227 sq. ft. single family home with basement and wrap around front porch per attached approved plans and specifications. New structure will have smooth stucco foundation. Siding will be wood German lapped on 1st floor with shingles above. Roof will be hipped style with exposed rafter tails, and 24" overhang. Roof covering will be dark gray weatherwood shingles. Other details include turret, 6" trim board and 4.5" window and door surrounds. Chimney will be brick. Windows will be aluminum clad, one over one. Porch will have wood balustrade with 2" x 2" rails, 4" on center and fluted support columns salvaged from original home on site. Front door will be salvaged from original home. Brick sidewalk and landscaping per attached approved landscape plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for New Construction found on pages 92-93 and the guidelines for Landscaping and Trees found on pages 40-41 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, were used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:
 - a. The new structure is compatible with the surrounding historic buildings in the district in terms of siting, materials, scale, texture, and fenestration.
 - b. Applicant is using as many salvaged materials as possible from the original home.
6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Nutter

Second by: Commissioner Wampler

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Nutter

Second by: Commissioner Wampler

Vote for: ALL

Agenda Item

Owner/Applicant: Amy Hornaday
Subject Property: 2 Hillside Walk
Hearing Date: May 8, 2013
Historic District: Albemarle Park
PIN: 9649.64-4606
Zoning District: RS-8
Other Permits: None

Staff Comments	<p>Ms. Merten shows slides of the property and reviews the following staff report. She explains the tree removal diagram, and says some trees noted have already been approved to be removed through a Minor Work application. The city arborist visited the site and has recommended the one tree in the front yard be removed to save another tree (#1). She notes the trees are not part of the original Albemarle Park plantings.</p> <p>Property Description: Marigold cottage is a two story shingle style cottage with a double overshoot gable end and enclosed porch ell, built in 1914.</p> <p>Certificate of Appropriateness Request: Remove 8 trees as identified on attached diagram in order to improve landscape and correct on site drainage problems. All permits, variances, or approvals as required by law must be obtained before work may commence.</p> <p>Staff Concerns per the Applicable Guidelines & Submittal Requirements:</p> <p>The guidelines for Vegetation: Trees from the <i>Chestnut Liberty Design Review Guidelines</i> which state that maintenance of the existing canopy of mature trees along streets and in front yards is a high priority were used to evaluate this request</p> <p>Staff Recommendation: Staff recommends approval for the following reasons.</p> <p>Suggested Reasons:</p> <ol style="list-style-type: none">1. Removal of trees will facilitate re-grading of the site to improve drainage.2. The trees requested for removal do not appear to have been planted as part of Samuel Parsons original design.
Applicant(s)	Amy Hornaday, property owner, offers to answer any questions.

Public Comment

Speaker Name	Issue(s)
None	

Commission Comments/Discussion

Chair Cole notes trees numbered 18 and 19 should not be considered since they are on another property. Ms. Merten says the applicant is not asking to remove those, just noting they are there.

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – tree removal proposal; Exhibit B – diagram of existing trees; Exhibit C – proposed tree planting plan; Exhibit D – 1938 plat “Land of E.W. Grove Estate”; Exhibit E – deed description of right-of-way; and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 24th day of April, 2013, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 24th day of April, 2013 as indicated by Exhibits F and G.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to remove 8 trees as identified on attached diagram in order to improve landscape and correct on site drainage problems. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Vegetation: Trees from the *Chestnut Liberty Design Review Guidelines* which state that maintenance of the existing canopy of mature trees along streets and in front yards is a high priority were used to evaluate this request. Page 36 of the *Architectural Design Guidelines and Standards for Albemarle Park* was also used.
5. This application **does** meet the design guidelines for the following reasons:
 - a. Removal of trees will facilitate re-grading of the site to improve drainage.
 - b. The trees requested for removal do not appear to have been planted as part of Samuel Parson’s original design.
 - c. The trees requested for removal are volunteers of no great age and the majority are located in the rear yard.
 - d. The city arborist approved the removal of the tree in the front yard to save another tree.
6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Albemarle Park Historic District.

Motion by: Commissioner Chase

Second by: Commissioner Wampler

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Chase
Second by: Commissioner Wampler
Vote for: ALL

Agenda Item

Owner/Applicant: Terry Deal
Subject Property: 158 Cherokee Road
Hearing Date: May 8, 2013
Historic District: Albemarle Park
PIN: 9649.74-4658
Zoning District: RS-4
Other Permits: Building

Staff Comments	<p>Ms. Merten shows slides of the property and reviews the following staff report. She explains this application was continued to give the applicant an opportunity to be present. Ms. Deal was notified about the continuation by certified mail. Attorney Ashley says the applicant is encouraged, but not required, to be present for the hearing.</p> <p>Ms. Merten says Sanborn maps show Possum Trot II was constructed by 1928. She says the applicant lived there in 2007, when she was issued a CA to rehab the façade and replace the railings, add underpinning on the deck, and construct a utility enclosure. The approved enclosure was a small one, with lattice. Only the façade alterations were completed at that time. The underpinning was never put on the deck, but a rustic style railing has since been added. A small addition in the location of the enclosure was recently added.</p> <p>Ms. Merten shows a photograph of a peeled bark railing on Possum Trot, and says this type of railing would be appropriate.</p> <p>Ms. Merten notes she received notice from a neighbor that construction was in process in February. Ms. Deal was told to stop and that she needed a CA. It appears the rustic style railings were added after she was informed the HRC would need to review the proposal. She applied for a Minor Work CA and was issued one for a stone path and some landscaping.</p> <p>Ms. Merten says the location of the skylights is not visible, and meets the guidelines.</p> <p>Property Description: Possum Trot II is an accessory structure to Possum Trot which was built @1913 in the rustic shingle style. Possum Trot II received a CA in 2007 for façade rehabilitation, trash enclosures and deck underpinning.</p> <p>Certificate of Appropriateness Request: Application is to construct a new 3' x 5' utility structure attached to the house, as built, after the fact with shingle siding</p>
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	<p>per photographs. Install new bark railings, and install two new skylights on rear roof per attached drawings and specifications. Velux vented skylights will be 47 1/4" x 31 5/8" with aluminum frame. All permits, variances, or approvals as required by law must be obtained before work may commence.</p> <p>HRC Staff Concerns per the Applicable Guidelines & Submittal Requirements:</p> <p>Architectural Design Characteristics # 17 – Porch pickets, rails and posts are simple in design. Turned spindles and columns were not used.</p> <p>Trees stripped of their bark are typically used for porch railings in the rustic shingle style.</p> <p>The guidelines for Architectural Design Characteristics found on page 18, the Rustic Shingle Style characteristics found on page 21, Repair and Remodeling Work found on page 23, and the Façade Identification Map and guidelines found on pages 24- 25 of the Architectural Design Guidelines and Standards for Albemarle Park were used to evaluate this request.</p> <p>Staff Recommendation: Staff is concerned that the rail system proposed for the deck is very contemporary and more complex than Possum Trot or what might have been used originally.</p> <p>Suggested Reasons:</p> <ol style="list-style-type: none"> 1. Simple posts with trees stripped of their bark is common with the rustic shingle style and used on Possum Trot.
Applicant(s)	Not present.

Public Comment

Speaker Name	Issue(s)
None	

Commission Comments/Discussion

Chair Cole reads the guidelines that would apply in this situation, Rustic Shingle Style on pages 21 “Trees stripped of their bark are used for porch posts, railings, pickets . . .” and on page 23 under Repair and Remodeling Work, “All changes and additions must be compatible with the existing conditions of the structure . . .” and “Where possible and aesthetically appropriate, all efforts shall be made to return to or recapture the original design style of the structure or landscape.” She notes the applicant has not come before the Commission to present any evidence of historic precedence for the railings.

Ms. Merten shows a photograph of a fence on Dahlia Cottage that is similar to the installed railings. Commissioner Carpenter notes these types of fences have a short lifespan.

Commissioner Chase asks what actions the Commission can take. Chair Cole says the applicant could be fined until she brings the project into compliance, if the Commission decides it doesn't

conform to the guidelines.

Commissioners discuss the specifics of the application. Ms. Merten says the shed is attached to the main structure, and should be reviewed as an addition. Since the new structure matches the style of the main structure, it is determined this part could be approved. Commissioner Wampler asks whether the underpinning was ever installed and if this should be a concern. It does not seem that it was ever there, Ms. Merten doesn't think it was ever installed, but does not know for a fact.

Chair Cole notes the applicant has not shown what style the historic deck was, or if there was one. The earliest style in the file has X-cross railings, with no underpinning. Ms. Merten shows a photograph showing these railings, and says this leads to discussion on whether the current railings are compatible. She notes the main house, Possum Trot, has straight peeled bark railings, which are definitely acceptable in the district. She shows a photograph of those railings. She says the Commission needs to decide if the ones that have been installed at Possum Trot II are also acceptable.

Chair Cole says this style is only found on Western houses. Ms. Merten says she found a criss-cross pattern that was similar, but that this is a modern take on the Rustic Shingle style. Commissioner Chase notes that railings in Linville, on Eseola Lodge, of the same period, had similar railings. Ms. Merten says that it may be evident in other parts of the mountains, but not in Albemarle Park. Commissioner Chase clarifies she simply didn't want it to only be on the record as a modern, Western thing, but that it has regional relevance.

Commissioner Carpenter asks if the Commissioners should take into consideration the fact that the applicant knew she wasn't in compliance. Ms. Merten says no, it is clear that she knew she was in violation, but that should not be the consideration. She did tell the applicant not to proceed, and the enforcement officer left a violation notice on March 1. She was not fined, just asked to apply for the relevant CAs and bring the project into compliance. Ms. Gardner says she met with the applicant after she received the violation notice, and went over what could be a Minor Work and what would have to be submitted for Major review. Ms. Deal then submitted a Minor Work application that was approved on March 12 to rebuild a rock wall and construct a stone pathway. She submitted a Major Work application for the April meeting, but did not attend the meeting, so the hearing was continued.

Commissioner Nutter asks if the applicant is in violation for not appearing at the hearings, Atty. Ashley answers no, it is only imperative that she be given the opportunity, and she has had that opportunity. Ms. Merten points out she has not taken either opportunity to present evidence in support of her plans, and that she could be her own best support.

Chair Cole asks if information from the 2007 application can be taken into account. Atty. Ashley points out there are several issues at play, and thinks they are relevant – an expired CA, work completed that was not in compliance with the CA issued, and new work that has been done without a CA.

Ms. Merten shows plans and photographs from the 2007 application. She notes the approved work for the façade was completed. Commissioner Stephenson notes the door is five panel, not six as in the plans. Ms. Merten says she would have approved that if the applicant had asked for an amendment.

Commissioner Carpenter asks what options the Commission now has. Ms. Merten says they could approve or deny the application, or only approve the parts they think are appropriate. Then the applicant would not be in violation. Commissioner Nutter says it needs more clarification. Ms.

Merten says if the application is denied, the applicant would be in violation, and Ms. Merten will handle the enforcement part needed, the Commission does not need to do anything further. She notes the applicant would have to have some kind of railing, so she will have to come back and amend the application. Commissioner Wampler notes the railing falls under code, which is not the HRC's purview.

Atty. Ashley says the way the CA is written may need clarification. This is discussed, and it is decided it is sufficient. Commissioner Nutter asks if the Executive Committee should have clarified the decision-making needs prior to a Commission meeting. Chair Cole and Ms. Merten reply no. Although this is an after-the-fact request, the HRC should consider it as a new proposal, just like any other. She notes that the applicant's absence from the hearing has made things more difficult.

Ms. Merten recommends the Commission approve part of the application, and deny the porch railing part.

Commission Action

MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – seven photos of existing site ; Exhibit B – two photos of rock examples ; Exhibit C – plat map; Exhibit D – drawing showing path plan and existing features ; Exhibit E – two photos of house at time of purchase; Exhibit F – two drawings of house; Exhibit G – five photos of existing house; Exhibit H – four photos of porch railing samples ; Exhibit I – ten photos of house and site, showing proposed skylight location, existing deck, railing and shed; Exhibit J – photo of deck and railing at 154 Cherokee ; Exhibit K – two pages of specifications for skylights; Exhibit L – Certificate of Appropriateness Violation Notice (*dated April 18, 2013*); Exhibit M – approved drawings from the 2007 application; Exhibit N – photograph from 2007 application; and the Commission's actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearings on this application were published in the Asheville Citizen-Times on the 27th day of March, 2013 and the 24th day of April, 2013, and that each owner of real property situated within two hundred feet of the subject property was notified of these hearings in the mail on the 27th day of March, 2013 and the 24th day of April, 2013 as indicated by Exhibits N, O, P and Q.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to construct a new 3' x 5' utility structure attached to the house, as built, after the fact with shingle siding per photographs. Install new bark railings in artistic configuration as shown on attached photographs, and install two new skylights on rear roof per attached drawings and specifications. Velux vented skylights will be 47 1/4" x 31 5/8" with aluminum frame. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Architectural Design Characteristics found on page 18, the Rustic Shingle Style characteristics found on page 21, Repair and Remodeling Work found on page 23, and the Façade Identification Map and guidelines found on pages 24- 25 of the Architectural Design Guidelines and Standards for Albemarle Park were used to evaluate this request.

5.1 Utility structure and skylights

This part of the application **does** meet the design guidelines for the following reasons:

- a. Utility addition is compatible with main structure.
- b. Skylights are located in the rear.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Albemarle Park Historic District.

Motion by: Commissioner Wampler

Second by: Commissioner Cook

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Wampler

Second by: Commissioner Cook

Vote for: ALL

5.2 Porch railing

This part of the application **does not** meet the design guidelines for the following reasons:

- a. Railing is not compatible with the existing conditions of the structure or landscape.
- b. Railing does not return or recapture the original design style of the structure or landscape.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are not** compatible with the historic aspects and character of the Albemarle Park Historic District.

Motion by: Commissioner Wampler

Second by: Commissioner Chase

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **denied**.

Motion by: Commissioner Wampler

Second by: Commissioner Chase

Vote for: ALL

Preliminary Review:

Owner/Applicant: Bonnie and Christopher Gilbert
Subject Property: 18 Starnes Ave.
Hearing Date: May 8, 2013
Historic District: Montford
PIN: 9649.32-1373
Zoning District: RM-8
Other Permits: New Construction

Staff Comments	<p>Ms. Merten shows slides of the property and reviews the following staff report. She reports there was concern at the Executive Committee meeting about the window on the rear elevation.</p> <p>Property Description: Vacant lot at the corner of Starnes Ave. and Elizabeth Place. 1928 Sanborn maps show a 2-story home oriented towards Starnes Ave. previously located on the site.</p> <p>Certificate of Appropriateness Request: Construct new 1 1/2 story home per attached plans and specifications.</p> <p>All permits, variances, or approvals as required by law must be obtained before work may commence.</p> <p>Staff Concerns per the Applicable Guidelines & Submittal Requirements:</p> <p>The guidelines for New Construction found on pages 92-93 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, were used to evaluate this request.</p> <p>Staff Recommendation: Review and provide applicant appropriate feedback.</p>
Applicant(s)	Bonnie Gilbert, property owner, offers to answer questions about the proposed home.

Commission Comments/Discussion

Commissioner Stephenson asks about the bathroom window, Ms. Gilbert says it is an awning window, but it will not open. She says the windows will be clear glass, wood windows with aluminum cladding. Commissioner Wampler asks about the mullions, they will be 3/1, Ms. Merten notes SDL is required. Jeremy McCowan will be the builder, he has built homes in Montford before and will bring window samples to the final review. Commissioner Stephenson asks about the shingles, Ms. Gilbert says they will be straight across at the bottom, cedar shake.

Ms. Gilbert says they are planning a concrete walkway, and wooden steps. She asks for opinions on the configuration of the steps. She prefers straight ones with a railing, instead of fanned. She says there will be brackets in every corner and peak. The porch will be open. There will not be a chimney, and they are not currently planning a garage. She notes there was a single car garage originally, but she doesn't want to tackle that project right now.

Chair Cole asks about the configuration of the walkway. Ms. Merten says there are stairs in their

original location, and the house is oriented in the original way. Commissioner Nutter notes the stairway is on the corner. Ms. Gilbert says the City will soon be replacing this section of sidewalk and rebuilding the steps, they will be also be taking some invasive trees out. She says there are no trees on her property, so it will be easy to build on. She has a landscape architect working on a landscape plan. Chair Cole asks how wide the driveway will be, Ms. Gilbert says they are only planning a two-car pull off, they want to have as much lawn as possible. Commissioner Wampler asks if they have plans for fencing, Ms. Gilbert says yes, but she will be doing that later.

Chair Cole says both front façade sides show a large expanse without windows. Ms. Gilbert says the window design is based on interior needs, there will be a kitchen and a laundry room in the front and she doesn't want windows on those walls, because of the kitchen cabinets and concerns for privacy in the laundry room. Several Commissioners note this may be a concern. Commissioner Cook says the porch features may help to balance the design. Commissioner Rizzo notes interior use is not a concern for the Commission. Chair Cole reads guideline #8. Ms. Merten notes the corner lot brings attention to two sides.

Commissioner Nutter leaves 7:14.

Other Business:

Review of letter concerning Vance Birthplace. Ms. Merten says the letter from the Commission has gone through an editing process, and is ready to send to state legislators. She asks about the reference to protective easements, Chair Cole says she thinks they affect adjoining properties. Concern is expressed about the safety of the site, and if it does close, when and how will it reopen. Commissioner Wampler asks about efforts to find other sources of funding, Chair Cole says there are some in play. She notes this site is not the least attended site in the state, and this should be noted. Ms. Merten says these things may need clarification, but will be good to include in the letter.

National Register nomination, Bruce A. and June L. Elmore Lustron House. Ms. Merten says this nomination will be discussed at the June meeting, and comments will be submitted.

Historic Preservation Planning and Practice Workshop will be on Tuesday, June 18, 2013 at the Grove Arcade. Ms. Merten encourages Commissioners to attend. She notes this qualifies for certified training credits the Commission needs.

Parks and Cultural Authority. Ms. Merten reports funding for the HRC from the County may be coming from this new entity, which is being created.

Montford Accessory Guidelines Committee. Ms. Merten says this committee has met, and this is moving along.

Albemarle Park Guidelines. Ms. Merten has received drafts from Rich Mathews.

Election of Officers. Chair Cole notes her last month as Chair will be in June. Commissioner Wampler says she has accepted the nomination for Chair, and Commissioners Chase for Vice-Chair and Stephenson for 2nd Vice-Chair. Ms. Merten says a fourth member is needed. Chair Cole suggests Commissioner Ross for 3rd Chair. Commissioner Chase moves to accept the slate as nominated. Commissioner Wampler seconds. ALL agree. Chair Cole asks for a vote on the nominations. Commissioner Wampler moves for a vote on the slate, Commissioner Chase seconds. ALL agree.

Commissioner Wampler moves to adjourn the meeting.

Second by: Commissioner Cook

Vote for: ALL The meeting is adjourned at 7:38 pm.